

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

KIEWIT CONSTRUCTION COMPANY,)	CASE NO. 8:04CV148
)	
Plaintiff,)	
)	
vs.)	ORDER OF DISMISSAL
)	
CAPITAL ELECTRIC CONSTRUCTION)	
COMPANY, INC.,)	
)	
Defendant.)	

This matter is before the Court on the Stipulation for Dismissal with Prejudice (Filing No. 101). Because I find that the Stipulation complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), the Stipulation is approved. Accordingly,

IT IS ORDERED:

1. The Stipulation for Dismissal with Prejudice (Filing No. 101) is approved, and the relief requested therein shall be granted;
2. All pending motions, including Filing Nos. 88 and 91, are denied as moot;
3. The Complaint, all claims and all counterclaims are dismissed with prejudice;
and
4. The parties shall pay their own costs and attorney's fees.

Dated this 16th day of December, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge